

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services - Revenue Department - Sri V.Saraiah, Mandal Housing Officer & Tahsildar, Zaffergadh Mandal, Warangal District - Certain irregularities in construction of Indiramma Housing in Suraram Village of Zaffargadh Mandal, Warangal District - Disciplinary proceedings under rule 20 of APCS (CCA) Rules, 1991 - Charges proved in the enquiry - Representation filed by the individual - Penalty of 20% cut in pension permanently under rule 9 of A.P. Revised Pension Rules, 1980 - Imposed - Orders - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No. 1394

Dated: 05-09-2013.

1. Proc.No.C1/2906/08, Dt: 29.10.2008 of the Dist. Collector / ED (H), A.P. State Hosing Corporation Limited, Warangal.
 2. From Sri V. Saraiah, Tahsildar, written statement of defence, dt:25.11.2008.
 3. Proc.No.D (C1)/2906/2008, Dt: 18.2.2011 of the Dist. Collector /ED (H), Warangal.
 4. From the APAT, orders, dt: 20.1.2012 in O.A.No. 248/2012 filed by Sri V. Saraiah, Tahsildar (Retired).
 5. Procs. No. C1/2906/08, Dt: 30.11.2012 of the Dist. Collector / ED (H), Warangal.
 6. From Sri N. Madhusudan, Revenue Divisional Officer, Warangal & Enquiry Officer, Letter Rc. No. C/7141/2012, Dt:15.1.2013.
 7. From the Chief Commissioner of Land Administration, Letter No.VS.IV(3)/201/13, Dt: 28.5.2013.
 8. Govt. Memo No.17521/Vig. II(2)/2013-2, Revenue (Vig. II) Department, Dt: 31.5.2013.
 9. From Sri V. Saraiah, Tahsildar (Retd.), representation, dt:6.6.2013.
 10. Govt. Memo No. 17521/Vig. II (2)/2013-4, Dt: 17.7.2013.
 11. From Sri V. Saraiah, Tahsildar (Retired), representation, dt:27.7.2013.
 12. Govt. Letter No.17521/Vig. II(2)/2013-5, Revenue (Vig. II) Department, Dt:30.8.2013.
 13. From the Secretary, A.P. Public Service Commission, Hyderabad, Letter No. 1802/RT/2/2013 dt:04.09.2013.
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ORDER:

In the reference 1st read above, District Collector / Executive Director (H), AP State Housing Corporation Limited, Warangal, framed charges against Sri V. Saraiah, Tahsildar / Mandal Housing Officer, Zaffergadh Mandal for committing certain irregularities in recommending payments to the (58) beneficiaries of Suraram (V) under Indiramma Housing programme without construction of houses, for old houses, over and above (charge-I); and recommending payments without verifying physical status of each house (charge-II). The Charged Officer has submitted his written statement of defence and in the reference 3rd read above, the Regional Level Vigilance Officer (H), Warangal was appointed as the Enquiry Officer to conduct inquiry into the charges framed against the Charged Officer; but the Enquiry Officer could not complete the enquiry. In the meanwhile, the Charged Officer approached the A.P. Administrative Tribunal by filing O.A.No.248/2012 and the Hon'ble Tribunal in its orders in the reference 4th read above, directed

(P.T.O)

the respondents to complete the enquiry and finalize the case of the applicant within a period of 4 months. The charged officer has again filed C.A.No.1015/2012 in the above OA., for not completing the enquiry as stipulated by the Hon'ble Tribunal and keeping in view the Contempt Application, the District Collector /Executive Director (H), Warangal has appointed Sri N. Madhusudhan, Revenue Divisional Officer, Warangal as Inquiring Authority to conduct inquiry, vide reference 5th read above.

2. In the reference 6th read above, the Inquiring Authority after conducting inquiry into the matter, has furnished inquiry report by mentioning that the Charged Officer had recommended payments to ineligible persons and held that charges are proved; and to recover the amounts from the beneficiaries.

3. In the reference 7th read above, the Chief Commissioner of Land Administration, AP, Hyderabad has forwarded the record of inquiry to Government for concluding the disciplinary proceedings against Sri V. Saraiah, Tahsildar under rule 9 (2) of A.P. Revised Pension Rules, 1980, as the individual retired from service on attaining the age of superannuation on 31.01.2011.

4. In the reference 8th read above, Government have communicated a copy of the enquiry report to Sri V. Saraiah, Tahsildar (Retd.) for his representation on the findings of the Enquiry Officer. Accordingly, the retired Tahsildar has submitted his representation vide reference 9th read above. Government, after examination of the matter, have taken a provisional decision to impose a punishment of 20% cut in pension permanently. Accordingly, Government have communicated the above provisional decision to the Delinquent Officer with a direction to submit his representation, if any; for taking further action in the matter, vide reference 10th read above.

5. In the reference 11th read above, Sri V. Saraiah, Tahsildar (Retired) has submitted his representation stating that the District Collector /Executive Director (H), Warangal in his letter dt:07.03.2013 requested the Tahsildar, Zaffergadh Mandal to recover the amount of Rs.3,93,320/- from (29) ineligible beneficiaries as per the findings of the Enquiry Officer; thus the question of misappropriation does not arise. The Work Inspector and the Assistant Engineer had committed irregularities in the case and concerned Disciplinary authority imposed major punishment of "removal from service" against them; as such it is clear that he has no role in the case. Hence, imposing 20% cut in pension permanently against him is highly disproportionate to the charge and requested to consider his representation and to drop the proposed punishment against him.

6. Government have examined the contentions of the Delinquent Officer with reference to material available and observe that the Charged Officer Sri V. Saraiah, Tahsildar, during the enquiry had deposed that he signed the payment orders relying on the reports of Work Inspector & Assistant Engineer to speed up housing programme to gain good name in the district and this indicates that he failed to scrutinize the documents properly and failed to conduct physical verification about the stages of construction of houses under Indiramma Housing programme while recommending for payments and he simply relied on the reports of Work Inspector / Assistant Engineer and he was negligent in discharging the duties. Regarding his contention that the Work Inspector / Assistant Engineer are responsible in the case and the competent disciplinary authority removed them from service / the Enquiry Officer had recommended for recovery of amount from the beneficiaries and

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he has no role in the case; is not tenable. If he would have scrutinized the documents while recommending for payments to beneficiaries properly, the irregularity would have been noticed and prevented at the preliminary stage itself and thus he was negligent in discharging his legitimate duties. Accordingly, Government have decided to confirm the provisional decision to impose 20% cut in pension permanently against Sri V. Saraiah, Tahsildar (Retd.) and addressed the A.P. Public Service Commission for their concurrence. In the reference 13th read above, the Secretary, A.P. Public Service Commission has communicated the consent of the Commission to impose the above penalty against the individual.

7. Government after careful examination of the matter, hereby impose the penalty of 20% cut in pension permanently against Sri V. Saraiah, Tahsildar, (Retd.) under rule 9 of A.P. Revised Pension Rules, 1980. Copy of the advice of the A.P. Public Service Commission, dt:04.09.2013 as required under rule 23 of APCS (CC&A) Rules, 1991 is herewith furnished to the individual.

8. The Chief Commissioner of Land Administration, A.P, Hyderabad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri V. Saraiah, Tahsildar (Retd.) (w.e).
through the Chief Commissioner of Land Administration, AP, Hyderabad.
The Chief Commissioner of Land Administration, AP, Hyderabad
(with a request to serve the G.O on the individual and send the served copy with dated signature to Government)

Copy to:

The Secretary, A.P. Public Service Commission, Hyderabad.
The Accountant General, AP, Hyderabad.
The Director of Accounts & Treasuries, AP, Hyderabad.
The Government Pleader for Revenue (Services), A.P, Hyderabad.
The Revenue (Ser.III) Department.
PS to Principal Secretary to Government, Revenue Department.
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER